

ROBERT LEWIS SMITH,)
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 Plaintiff,)
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 v.) **1:07CV737**
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 LEWIS SMITH, et al.,)
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 Defendant(s).)

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on November 2, 2007, was served on the parties in this action. Plaintiff filed a letter writing which will be construed as objections.

IT IS THEREFORE ORDERED that Plaintiff's complaint [Pleading No. 2] be, and the same is hereby, **DISMISSED** as frivolous or malicious or for failing to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B). A Judgment dismissing this action will be entered contemporaneously with this Order.

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